

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 277 be amended to read as follows:

- 1       Page 1, between the enacting clause and line 1, begin a new  
2       paragraph and insert:  
3       "SECTION 1. IC 5-10-8.1-6, AS ADDED BY P.L.162-2001,  
4       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5       UPON PASSAGE]: Sec. 6. (a) The administrator shall pay or deny  
6       each clean claim in accordance with section 7 of this chapter.  
7       (b) An administrator shall notify a provider of any deficiencies in a  
8       submitted claim not ~~less~~ **more** than:  
9       (1) thirty (30) days for a claim that is filed electronically; or  
10      (2) forty-five (45) days for a claim that is filed on paper;  
11      and describe any remedy necessary to establish a clean claim.  
12      (c) Failure of an administrator to notify a provider as required under  
13      subsection (b) establishes the submitted claim as a clean claim."  
14      Page 3, between lines 15 and 16, begin a new paragraph and insert:  
15      "SECTION 4. IC 27-8-5.7-5, AS ADDED BY P.L.162-2001,  
16      SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17      UPON PASSAGE]: Sec. 5. (a) An insurer shall pay or deny each clean  
18      claim in accordance with section 6 of this chapter.  
19      (b) An insurer shall notify a provider of any deficiencies in a  
20      submitted claim not ~~less~~ **more** than:  
21      (1) thirty (30) days for a claim that is filed electronically; or  
22      (2) forty-five (45) days for a claim that is filed on paper;  
23      and describe any remedy necessary to establish a clean claim.  
24      (c) Failure of an insurer to notify a provider as required under

1 subsection (b) establishes the submitted claim as a clean claim.".

2 Page 3, between lines 25 and 26, begin a new paragraph and insert:

3 "SECTION 6. IC 27-13-36.2-3, AS ADDED BY P.L.162-2001,  
4 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 UPON PASSAGE]: Sec. 3. (a) A health maintenance organization shall  
6 pay or deny each clean claim in accordance with section 4 of this  
7 chapter.

8 (b) A health maintenance organization shall notify a provider of any  
9 deficiencies in a submitted claim not ~~less~~ **more** than:

10 (1) thirty (30) days for a claim that is filed electronically; or

11 (2) forty-five (45) days for a claim that is filed on paper;

12 and describe any remedy necessary to establish a clean claim.

13 (c) Failure of a health maintenance organization to notify a provider  
14 as required under subsection (b) establishes the submitted claim as a  
15 clean claim.

16 SECTION 7. IC 27-13-36.2-4, AS ADDED BY P.L.162-2001,  
17 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 UPON PASSAGE]: Sec. 4. (a) A health maintenance organization shall  
19 pay or deny each clean claim as follows:

20 (1) If the claim is filed electronically, not ~~less~~ **more** than thirty  
21 (30) days after the date the claim is received by the health  
22 maintenance organization.

23 (2) If the claim is filed on paper, not ~~less~~ **more** than forty-five  
24 (45) days after the date the claim is received by the health  
25 maintenance organization.

26 (b) If:

27 (1) a health maintenance organization fails to pay or deny a clean  
28 claim in the time required under subsection (a); and

29 (2) the health maintenance organization subsequently pays the  
30 claim;

31 the health maintenance organization shall pay the provider that  
32 submitted the claim interest on the lesser of the usual, customary, and  
33 reasonable charge for the health care services provided to the enrollee  
34 or an amount agreed to between the health maintenance organization  
35 and the provider paid under this section.

36 (c) Interest paid under subsection (b):

37 (1) accrues beginning:

38 (A) thirty-one (31) days after the date the claim is filed under  
39 subsection (a)(1); or

40 (B) forty-six (46) days after the date the claim is filed under  
41 subsection (a)(2); and

42 (2) stops accruing on the date the claim is paid.

43 (d) In paying interest under subsection (b), a health maintenance  
44 organization shall use the same interest rate as provided in  
45 IC 12-15-21-3(7)(A).".

46 Renumber all SECTIONS consecutively.

(Reference is to ESB 276 as printed February 19, 2002.)

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Representative Crooks